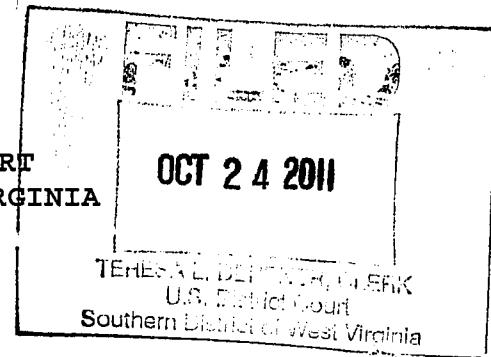


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

UNITED STATES OF AMERICA



v.

CRIMINAL NO. 5:11-00038

HUGHIE ELBERT STOVER

STIPULATION REGARDING TRANSCRIPT

The United States of America and the defendant, Hughie Elbert Stover, do hereby stipulate and agree that the Transcript marked as Government Exhibit 3 is a true and accurate transcript of relevant portions of defendant Stover's testimony, given under oath, before representatives of the West Virginia Office of Miners' Health Safety and Training, the United States Department of Labor, the federal Mine Safety and Health Administration, the Governor's Independent Investigation Panel, and Performance Coal Company, on November 30, 2010, at the National Mine Health & Safety Academy, 1301 Airport Road, Beaver, Raleigh County, West Virginia.

William D. Wilmouth
WILLIAM DAVID WILMOTH

Counsel for Elbert Stover

Philip H. Wright
PHILIP H. WRIGHT

Assistant United States Attorney

Hughie Elbert Stover
HUGHIE ELBERT STOVER

Defendant